

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL J. FREY,
Plaintiff,

vs.

MICHAEL J. ASTRUE,
Defendant.

:
:
:
:
:
:
:

CIVIL ACTION

NO. 10-cv-3093

ORDER

AND NOW, this 26th day of January, 2012, upon

consideration of Plaintiff's Request for Review and Defendant's response thereto, and after careful review of the Report and Recommendation of United States Magistrate Lynne A. Sitarski,

IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's motion is DENIED; and
3. Judgment shall be entered in this matter in favor of DEFENDANT.

BY THE COURT:

/s/ Legrome D. Davis
LEGROME D. DAVIS, J.